

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	DATE FILED: _____
v.	:	CRIMINAL NO. _____
MARK LEE	:	VIOLATIONS:
JASON JOHNSON	:	18 U.S.C. § 371
	:	(conspiracy - 1 count)
	:	18 U.S.C. § 1341
	:	(mail fraud - 1 count)
	:	18 U.S.C. § 1344
	:	(bank fraud - 2 counts)
	:	18 U.S.C. § 1028A
	:	(aggravated identity theft - 1 count)
	:	18 U.S.C. § 1029(a)(2)
	:	(credit card fraud - 1 count)
	:	18 U.S.C. § 510(b)
	:	(possession of a stolen United States check
	:	- 1 count)
	:	18 U.S.C. § 2
	:	(aiding and abetting)

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. Fleet Bank was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, certificate number 3510-3/1/1927.
2. Commerce Bank was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, certificate number 21140-1.
3. From in or about September 2004 through in or about March 2005, in the

Eastern District of Pennsylvania, and elsewhere, defendants

**MARK LEE
and
JASON JOHNSON**

conspired and agreed, together and with others known and unknown to the United States Attorney, to commit offenses against the United States, that is, to knowingly commit mail fraud, to knowingly commit bank fraud, to knowingly possess a stolen United States check, to knowingly commit identity fraud, and to knowingly and with intent to defraud commit credit card fraud, in violation of Title 18, United States Code, Sections 1341, 1344, 510, 1028A and 1029.

MANNER AND MEANS

It was part of the conspiracy that:

4. Defendants MARK LEE and JASON JOHNSON engaged in four schemes to fraudulently obtain money and property.

5. In the first scheme, defendants MARK LEE and JASON JOHNSON established a fake corporation under the name of the “Lee Ferretti Group” and opened a commercial bank account under that corporate name at Fleet Bank for the purpose of cashing fraudulent checks.

6. Defendants MARK LEE and JASON JOHNSON funded the fraudulent Fleet bank account by depositing cash, checks that had been stolen, and fraudulent checks to artificially inflate the balance of the account.

7. Defendants MARK LEE and JASON JOHNSON contracted with Paychecks Corporation to issue weekly paychecks to the non-existent employees of the Lee Ferretti Group, and recruited others to cash the checks for them. Each person was paid a fee to cash the checks, and then turned over the balance of the checks to defendants LEE and

JOHNSON. Both defendants also cashed checks drawn on the account and withdrew various sums of cash from the account.

8. In the second scheme, defendant JASON JOHNSON purchased a counterfeit check payable to R.S., and he and defendant MARK LEE then deposited it into the true Commerce Bank account of R.S. The defendants then recruited another person to pose as R.S., provided him with fake identification in that name, and directed him to make cash withdrawals and purchases using the new debit card obtained from Commerce Bank, all of which was then turned over to the defendants.

9. In the third scheme, defendants MARK LEE and JASON JOHNSON purchased from other persons a list of hotel guests and their credit card information, with the intent to unlawfully charge the credit card accounts for goods, services, and cash withdrawals that they were not authorized to make. Proceeds from the unauthorized charges were to be split between MARK LEE and JASON JOHNSON.

10. In the last scheme, defendants MARK LEE and JASON JOHNSON recruited others to cash various counterfeit and stolen checks for a fee and turn over the balance of the cash to the defendants.

OVERT ACTS

In furtherance of the conspiracy, defendants MARK LEE and JASON JOHNSON, and others known and unknown to the United States Attorney, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. From in or about September 2004 through on or about February 16, 2005, defendant MARK LEE obtained a counterfeit Pennsylvania driver's license in the name of Troy Lee and used it in the corporation papers for the Lee Ferretti Group, to open the bank account at

Fleet Bank, and to cash fraudulent checks made payable to Troy Lee from the Lee Ferretti Group bank account.

2. On or about July 13, 2004, defendants MARK LEE and JASON JOHNSON purchased a mailbox at PostNet Postal and Business Services in Philadelphia, Pennsylvania, and from in or about September 2004 through in or about March 2005, directed Paychecks Corporation to mail the weekly checks for the “employees” of the Lee Ferretti Group to that location.

3. From in or about September 2004 and continuing until the account was closed by Fleet Bank in or about March 2005, defendants MARK LEE and JASON JOHNSON recruited at least ten persons to participate in their conspiracy by posing as employees of the Lee Ferretti Group to cash the fraudulent paychecks.

4. From in or about September 2004 through in or about March 2005, defendants MARK LEE and JASON JOHNSON cashed a total of 27 fraudulent checks from the Lee Ferretti Group account, defrauding Fleet Bank of in excess of \$13,500.

5. From in or about September 2004 through in or about March 2005, defendants MARK LEE and JASON JOHNSON, along with others known to the United States Attorney, deposited stolen funds into the Fleet Bank account and simultaneously made cash withdrawals and debit purchases of money orders from the U.S. Postal Service before the fraudulent deposits could be discovered by Fleet Bank. In this way, defendants fraudulently obtained approximately \$16,000 in additional funds from Fleet Bank.

6. In or about April 2005, defendants MARK LEE and JASON JOHNSON and others known to the United States Attorney purchased a stolen check in the name of “R.S.” with the purpose of cashing the check and defrauding Commerce Bank of the funds.

7. In or about April 2005, defendant MARK LEE produced a fake Pennsylvania driver's license with the name R.S. but with the picture of another person solicited by defendant MARK LEE to become involved in the conspiracy and check cashing scheme.

8. In or about April 2005, defendant MARK LEE also obtained a credit card in R.S.'s name by fraudulent means for use by the third person.

9. On or about April 3, 2005, defendants MARK LEE and JASON JOHNSON accompanied this third person to Commerce Bank, directed him to deposit the stolen check into R.S.'s legitimate bank account, and ordered him to report the bank card stolen so that another could be issued that day.

10. From on or about April 3, 2005 through on or about April 6, 2005, defendants MARK LEE and JASON JOHNSON withdrew approximately \$8,500 from R.S.'s bank account by making cash withdrawals, debit card purchases and purchases of money orders from the United States Postal Service.

11. On or about April 6, 2005, defendants MARK LEE and JASON JOHNSON also applied for and were granted a \$5,000 home equity loan from CitiFinancial in R.S.'s name.

12. In or about January, 2005, defendants MARK LEE and JASON JOHNSON purchased credit card information, and on or about January 31, 2005, paid a third person, who is known to the United States Attorney, to use her merchant account to charge the credit card account for goods that were never purchased by the true account holder.

13. From on or about January 31, 2005 to on or about February 1, 2005, defendants MARK LEE and JASON JOHNSON purchased money orders from the United States Postal Service with the stolen funds in order to disguise the true source of the monies.

14. On or about April 15, 2005, defendants MARK LEE and JASON JOHNSON met with a third person that they had recruited to cash a \$52,450 check that had been stolen from the United States Department of Housing and Urban Development.

15. During that meeting, defendant MARK LEE turned over to the third person a photocopy of a fake Pennsylvania driver's license and credit card, both in the name of the payee on the stolen HUD check, and gave him specific instructions as to where to cash the stolen check.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Overt Acts 1 through 5 of Count One are incorporated here.

THE SCHEME

2. From in or about September 2004 to in or about March 2005, defendants

**MARK LEE
and
JASON JOHNSON**

devised and intended to devise a scheme to defraud Fleet Bank, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

3. Defendants MARK LEE and JASON JOHNSON incorporated the Lee Ferretti Group, a fake corporation, and opened a commercial bank account under that corporate name at Fleet Bank for the purpose of defrauding Fleet Bank of funds.

4. Defendants MARK LEE and JASON JOHNSON contracted with Paychecks Corporation to mail weekly paychecks for the Lee Ferretti Group to persons whom the defendants listed as employees of their fake corporation.

5. From in or about September 2004 through in or about March 2005, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**MARK LEE
and
JASON JOHNSON,**

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, knowingly caused to be delivered by mail according to the directions

thereon, mail from Paychecks Corporation to PostNet Postal and Business Services, Philadelphia, Pennsylvania, which contained paychecks for the non-existent employees of the fictitious Lee Ferretti Group, when, in fact, the defendants knew that the Lee Ferretti Group was a fake corporation with no employees, and that these checks would be used to defraud the bank.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

At all times material to this information:

1. Paragraph 1 and Overt Acts 1 through 5 of Count One are incorporated here.

2. From in or about September 2004 through in or about March 2005, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**MARK LEE
and
JASON JOHNSON**

knowingly executed, and attempted to execute, a scheme to defraud Fleet Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. Defendants MARK LEE and JASON JOHNSON incorporated the Lee Ferretti Group, a fake corporation, and opened a commercial bank account under that corporate name at Fleet Bank for the purpose of cashing stolen and fraudulent checks. The Lee Ferretti Group did not perform any work, had no contracts for goods or services, and did not employ any person in any capacity.

4. In furtherance of that scheme, defendants MARK LEE and JASON JOHNSON deposited stolen funds into this bank account, and made simultaneous withdrawals and debit purchases against the stolen funds before the bank was aware that the deposited funds had been stolen.

5. Defendants MARK LEE and JASON JOHNSON obtained approximately

\$15,000 from Fleet Bank through these fraudulent means.

In violation of Title 18, United States Code, Section 1344.

COUNT FOUR

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

At all times material to this information:

1. Paragraph 2 and Overt Acts 6 through 11 of Count One are incorporated here.

2. From on or about April 4, 2005 to on or about April 6, 2005, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**MARK LEE
and
JASON JOHNSON**

knowingly executed, and attempted to execute, a scheme to defraud Commerce Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. Defendants MARK LEE and JASON JOHNSON purchased a stolen check in the name of R.S. and then produced fake identification in that name for the purpose of defrauding Commerce Bank.

4. In furtherance of that scheme, defendants MARK LEE and JASON JOHNSON, and another known to the United States Attorney, deposited the stolen check into R.S.'s legitimate account, and then simultaneously withdrew cash and made debit purchases from that account that exceeded \$8,500.

5. Defendants MARK LEE and JASON JOHNSON, and another person known to the United States Attorney, applied for and were issued a \$5,000 home equity loan

check in the name of R.S.

In violation of Title 18, United States Code, Section 1344.

COUNT FIVE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

From on or about April 4, 2005 through on or about April 6, 2005, in Philadelphia,
in the Eastern District of Pennsylvania, defendants

**MARK LEE
and
JASON JOHNSON**

knowingly and without lawful authority transferred, possessed and used a means of identification
of another person, that is, the name and Pennsylvania driver's license number, during and in relation
to a bank fraud, in violation of Title 18, United States Code, Section 1344.

In violation of Title 18, United States Code, Section 1028A.

COUNT SIX

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

From on or about January 31, 2005 to on or about February 1, 2005, in
Philadelphia, in the Eastern District of Pennsylvania, defendant

**MARK LEE
and
JASON JOHNSON**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use of, an unauthorized access device, that is, a credit card account, ending in 3491, in the name of H.T., to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$4,000, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2),(b)(1) and 2.

COUNT SEVEN

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

On or about April 15, 2005, in Philadelphia, in the Eastern District Pennsylvania,
defendants

**MARK LEE
and
JASON JOHNSON,**

knowingly received, retained and delivered a United States check, that is, a \$52,450.20 check made payable to R.R., and drawn on the account of the United States Department of Housing and Urban Development, knowing this check to be stolen.

In violation of Title 18, United States Code, Section 510(b).

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**